

CITY OF HOUSTON
Administration and Regulatory Affairs Department

Application for Network Facilities Right of Way Ordinance

INSTRUCTIONS: This application is to be completed by an entity applying for a new network facilities right of way ordinance (ROW ordinance) or renewing an existing network facilities right of way ordinance/franchise agreement. Accompanying this application is a copy of Article XIV of Chapter 40 of the Houston Code of Ordinances, which governs the placement of network facilities in public rights of way. Please note that Section 40-335 specifically states that “The compensation to be paid by grantees not providing any access lines are not covered by this section and shall be determined by the director and approved by ordinance by city council, in accordance with applicable law in a competitively neutral manner.”

Upon receipt of a completed application, a meeting will be scheduled between the applicant and the Director of the Administrations & Regulatory Affairs Department (or his designee) to discuss the status of the application and negotiate the fees to be paid under the ROW ordinance. All fee schedules will be non-discriminatory and competitively neutral.

If you have questions about any of the items in the application package, please contact Juan Olguin, Deputy Asst. Director, Administration and Regulatory Affairs Department at 713-837-9623. Completed applications should be sent to the attention of Juan Olguin at the following address:

City of Houston
Administration and Regulatory Affairs Department
Franchise Administration Division
611 Walker, Tenth Floor
Houston, Texas 77002

1. Name of company as it should appear on ordinance: _____

Form of organization: _____

State in which organized: _____

Provide a copy of the documents establishing the business.

2. Provide the following for the representative to who notices should be sent:

Name: _____

Title: _____

Company: _____

Address: _____

Phone: _____

Fax: _____

3. State the applicant's City of Houston or Texas business office address, if different from the response to question 2.

Name: _____

Title: _____

Company: _____

Address: _____

Phone: _____

Fax: _____

4. Specific purpose for which network facilities in the public rights of way will be used:

5. Number of linear feet of network facilities in public rights of way as of the most recent 12-month period ended June 30. Indicate if amount is an estimate and describe the methodology used to arrive at estimate.

6. Attach map showing location and detailed description of facilities in or proposed to be in public rights of way.
7. If new construction is proposed, include attachment showing proposed construction schedule, including but not limited to any information relevant to the issuance of your right of way ordinance. In addition, please provide a three (3) year estimate of the applicant's facilities that will be located within the city's rights-of-way.
8. Please provide company information (brochures, pamphlets, annual reports, etc.)

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AFFIDAVIT

I, _____, certify that the foregoing information contained in this Application for Network Facilities Right of Way Ordinance, including all attachments is, accurate and complete to the best of my knowledge and belief.

Signature: _____

Title: _____

Date: _____

NOTARY SEAL

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TIME LINE

As set forth below, the time required from receipt of the application by the City to the effective date of your individual right of way ordinance is approximately 13 to 16 weeks, which is largely dependent on the timeliness, completeness and accuracy of the information provided by the applicant, as well as availability of all parties for required meeting(s). *All time periods outlined below are approximate and are provided to the applicant for informational purposes only.*

	Application submitted to Administration and Regulatory Affairs Department (ARA).
+ 1 week	ARA advises applicant of completeness of application. If application is complete, ARA will schedule a meeting with applicant to negotiate fees to be paid under the ordinance. This timeframe will be extended if the application is incomplete and additional information is required from the applicant.
+ 1 – 4 weeks	Upon successful negotiations of fees to be paid by applicant under the ordinance, ARA requests Legal Department (Legal) to prepare ordinance.
+2 weeks	Legal prepares ordinance. ARA submits copy of ordinance to applicant for review prior to submission to City Council.
+2 weeks	Applicant submits statement to ARA in writing that ordinance is acceptable. ARA submits ordinance to City Council for consideration.
+1 week	First reading of ordinance before City Council.
+1 week	Second reading of ordinance before City Council.
+1 week	Third reading of ordinance before City Council.
+4 weeks	Ordinance becomes effective after 30-day referendum period required by City Charter; also deadline for applicant to submit insurance certificate and statement of acceptance to ARA.